

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

JENNIFER PARKER

§

VS.

§

CIVIL ACTION NO. 3:14-CV-00072

§

§

WAL-MART STORES, INC.

§

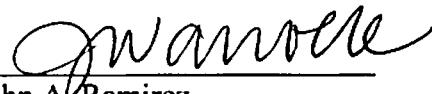
**DEFENDANT, WAL-MART STORES TEXAS, L.L.C.'S FIRST SUPPLEMENTAL  
INITIAL DISCLOSURES**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

COMES NOW, DEFENDANT, WAL-MART STORES TEXAS, L.L.C., [Incorrectly named "Wal-Mart Stores, Inc."], and pursuant to the FEDERAL RULES OF CIVIL PROCEDURE, files these Supplemental Initial Disclosures

Respectfully submitted,

BUSH & RAMIREZ, P.L.L.C.



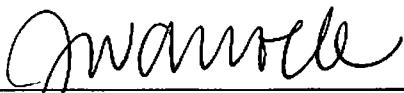
John A. Ramirez  
TBA No. 00798450  
Federal Bar No. 21280  
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TBA No. 24063574  
Federal Bar No. 1107157  
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Houston, Texas 77005  
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[jwarnock.atty@bushramirez.com](mailto:jwarnock.atty@bushramirez.com)

ATTORNEYS FOR DEFENDANT  
WAL-MART STORES TEXAS, L.L.C.

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the above and foregoing instrument was served on all counsel of record pursuant to the Texas Rules of Civil Procedure on this the 15<sup>th</sup> day of July 2014.

Jeffrey Todd  
Law Office of Alton Todd  
312 S. Friendswood Drive  
Friendswood, Texas 77546

  
\_\_\_\_\_  
JOHN A. RAMIREZ/JULIE C. WARNOCK

**DEFENDANT WAL-MART STORES TEXAS FIRST SUPPLEMENTAL  
INITIAL DISCLOSURES**

**A. Individuals with Discoverable Information**

1. The name, address (work and home), and telephone number (work and home) of individuals likely to have discoverable information relevant to the disputed facts:

**SUPPLEMENTAL RESPONSE:**

**In supplement to its previous response, Defendant provides the following:**

Jennifer Parker  
c/o Jeffrey Todd  
Law Office of Alton Todd  
312 S. Friendswood Drive  
Friendswood, Texas 77546  
(281) 992-8633

*Plaintiff*

Wal-Mart Stores Texas, LLC  
702 S.W. 8<sup>th</sup> Street  
Bentonville, AR 72716-8095  
c/o John A. Ramirez  
Bush & Ramirez, PLLC  
5615 Kirby Drive, Ste. 900  
Houston, Texas 77005  
(713) 626-1555

*Defendant*

Brandon Jensen, Store Manager  
Jeremy McCool, ASM  
Wal-Mart Store No. 3298  
255 FM 518 Road  
Kemah, Texas 77565  
c/o John A. Ramirez  
Bush & Ramirez, PLLC  
5615 Kirby Drive, Ste. 900  
Houston, Texas 77005  
(713) 626-1555

Tameka Virgance, Store Manager  
Murphy Oil Gas Station  
(281) 538-9829

Any and all physicians, physician assistants, nurses, medical assistants, technicians, healthcare providers, staff and/or custodian(s) of record for:

ADVANCED PAIN MANAGEMENT SPECIALISTS OF BAYTOWN

720 Rollingbrook Street

Baytown, Texas 77521

(281) 420-9355

Jerome O. Carter, MD

Heather Colon, Custodian of Medical and Billing Records

*Plaintiff's Healthcare Provider*

Any and all physicians, physician assistants, nurses, medical assistants, technicians, healthcare providers, staff and/or custodian(s) of record for:

CHRISTUS ST. JOHN SPORTS MEDICINE AND REHABILITATION

c/o Houston Methodist St. John Hospital

18300 St. John Drive

Nassau Bay, Texas 77058

(281) 523-2112

Hadaesha Portley, Custodian of Billing Records

*Plaintiff's Healthcare Provider*

Any and all physicians, physician assistants, nurses, medical assistants, technicians, healthcare providers, staff and/or custodian(s) of record for:

ERGONOMIC REHABILITATION OF HOUSTON

283 Lockhaven, Ste. 315

Houston, Texas 77073

(281) 821-4200

Jose Leyva, MD

Ashley Cope, DPT

Danielle Yassall, PT

Rozi Sabanoglu, PTA

Tammie McMahan, Custodian of Medical and Billing Records

*Plaintiff's Healthcare Provider*

Any and all physicians, physician assistants, nurses, medical assistants, technicians, healthcare providers, staff and/or custodian(s) of record for:

FONDREN ORTHOPEDIC GROUP, LLP

7401 Main Street

Houston, Texas 77030

(713) 799-2300

David M. Bloome, MD

*Plaintiff's Healthcare Provider*

Any and all physicians, physician assistants, nurses, medical assistants, technicians, healthcare providers, staff and/or custodian(s) of record for:

FUNCTIONAL RESTORATION SERVICES, LLC

11275 South Sam Houston Parkway West, Ste. 150

Houston, Texas 77031

(832) 328-4545

Jose Leyva, MD

Ashley Cope, DPT

Danielle Yassall, PT

Rozi Sabanoglu, PTA

*Plaintiff's Healthcare Provider*

Any and all physicians, physician assistants, nurses, medical assistants, technicians, healthcare providers, staff and/or custodian(s) of record for:

ONE STEP DIAGNOSTIC

11221 Katy Freeway, Ste. 201

Houston, Texas 77079

(713) 461-7272

Andrew Varady, MD

Laurn P. Henry, Custodian of Medical and Billing Records

Any and all physicians, physician assistants, nurses, medical assistants, technicians, healthcare providers, staff and/or custodian(s) of record for:

THE SPINE AND SPORTS CENTER

Aka Center for Spine & Sports Rehabilitation Excellence

2100 West Loop South, Ste. 150

Houston, Texas 77027

(713) 590-2700

Benoy Benny, MD

Rubi Perez, Custodian of Medical and Billing Records

*Plaintiff's Healthcare Provider*

**B. Relevant Documents and Tangible Things****RESPONSE:**

See documents previously produced:

Description	Bates Beginning	Bates Ending
Incident Report	D000001	D000002
Customer Statement	D000003	D000003
ASM Jerry McCool Statement	D000004	D000005
Video Request Form	D000006	D000006
Surveillance Video	D000007	D000007
Plaintiff's Recorded Statement	D000008	D000023
Photographs	D000024	D000042

**SUPPLEMENTAL RESPONSE:**

In supplement to its previous response, Defendant produces the following:

Description	Bates Beginning	Bates Ending
Ergo Rehab – Medical and Billing	D000095	D000127
One Step Diagnostics – Medical and Billing	D000128	D000144
The Spine & Sports Center –Medical and Billing	D000145	D000173
Jerome O. Carter, MD – Medical and Billing	D000174	D000187
Christus St. John Sports Medicine and Rehab – Billing	D000188	D000207

**C. Information Related to Calculation of Damages**

3. Any economic damages should be calculated by adding the reasonable and necessary medical expenses that the Plaintiff would not have incurred, but for the occurrence in question, plus the Plaintiff's loss of income based on pre-accident or most recent earnings that best indicate what post-accident earnings should have been, given the Plaintiff's wage or salary rate, hours or days worked, and amount of time reasonably missed as a result for the occurrence in question, and which Plaintiff would not have missed but for the occurrence in question.

Such calculations should exclude charges related to prior or subsequent conditions, overcharges, charges for narratives and time giving testimony, litigation expenses and expenses that would not have been necessary had the Plaintiff mitigated damages.

Such calculations should also be reduced to present value by an economist or annuitant based on formulas found in economic texts.

However, Defendant denies that Plaintiff suffered any economic damages as a result of the occurrence in question. Defendant would object to the use of this disclosure to the extent that Plaintiff may seek to use it to place the burden of proving the amount of Plaintiff's damages upon the Defendant, or may use this disclosure to prove Plaintiff's damages when such disclosure is based on work product and does not constitute admissible evidence.

**D. Insurance**

4. All insurance agreements required to be disclosed are described below:

**RESPONSE:**

Will supplement.

**SUPPLEMENTAL RESPONSE:**

In supplement to its previous response, Defendant produces the following:

Description	Bates Beginning	Bates Ending
Insurance Declaration Sheet	D000208	D000210